

Department of Permits and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

In the Matter of

Civil Citation No. 81149

Walter Weatherholtz  
Mary Weatherhotlz

1544 Galena Road

Respondents

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Baltimore County Code Enforcement Hearing Officer on September 8, 2010, for a Hearing on a citation for violations of the Baltimore County Zoning Regulations (BCZR) section 415A, 415, 1B01.1A, 1B01.1D, failure to cease the use of a camper/trailer as a residence, failure to properly tag camper on residential property zoned DR 5.5.

On August 5, 2010, pursuant to § 3-6-205, Baltimore County Code, Inspector Christina Frink issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$400.00 (four hundred dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued July 19, 2010 to cease occupancy of trailer/camper, illegal dumping/discharge from trailer/camper by August 3, 2010. This Citation was issued August 5, 2010.

B. Photographs in the file show a large camper trailer with expired license plates parked behind the house on this property. County zoning regulations allow the outside storage of one recreational vehicle on a residential lot, but require that the vehicle have a current license. BCZR Section 415A.1. Photographs and notes in the file also indicate that the trailer is likely being used as a residence, which is prohibited by County zoning regulations. Photographs show that a temporary sewer line was attached to the trailer, and re-inspection on August 5, 2010 found an electrical extension cord running to the trailer.

C. Respondents must put valid tags on the trailer, and it may not be used as a residence while parked on this property. Because compliance is the goal of code enforcement, the civil penalty will be rescinded if the violations are corrected within the time provided below. If the violations are not corrected, the County may remove the trailer at the expense of the property owner.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$400.00 (four hundred dollars).

IT IS FURTHER ORDERED that the civil penalty will be RESCINDED and reduced to zero dollars if the violations are corrected by October 11, 2010, with the recreational trailer properly tagged and parked in an allowed location, and not being used for residential purposes.

IT IS FURTHER ORDERED that after October 11, 2010, if the trailer does not have valid license plates, the County may enter the property for the purpose of removing the trailer, at the expense of the property owner.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty AND any expenses incurred by Baltimore County, as authorized above, shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 20<sup>th</sup> day of September 2010

Signed: ORIGINAL SIGNED  
Margaret Z. Ferguson  
Baltimore County Hearing Officer

MZF/jaf